

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. XX-cv-XXXXX-GAYLES

PARTY NAME(S),
Plaintiff(s),

v.

PARTY NAME(S),
Defendant(s).

**PROPOSED SCHEDULING ORDER SETTING
CIVIL TRIAL DATE AND PRETRIAL SCHEDULE**

THIS CAUSE is set for trial during the Court's two-week trial calendar beginning on [MM/DD/YYYY].¹ The **Calendar Call** will be held at **9:30 a.m. on Wednesday, [MM/DD/YYYY].**² A **Status Conference** will be held at **10:00 a.m. on Wednesday, [MM/DD/YYYY].**³ The parties shall adhere to the following schedule:⁴

1. Joinder of any additional parties and filing of motions to amend the complaint by [MM/DD/YYYY]
2. Written lists containing the names and addresses of all fact witnesses intended to be called at trial by [MM/DD/YYYY]

¹ Consult the attached **Appendix re Trial Calendars** for beginning dates.

In all **Expedited Track** cases (S.D. Fla. L.R. 16.1(a)(2)(A)) and all actions brought pursuant to **the Fair Labor Standards Act, Title III of the Americans with Disabilities Act, the Fair Debt Collection Practices Act, or to recover amounts due on a defaulted student loan**, the Trial *shall occur within nine months of the date Plaintiff(s) filed the action.*

In all **Standard Track** cases (S.D. Fla. L.R. 16.1(a)(2)(B)), the Trial *shall occur within twelve to eighteen months of the date Plaintiff(s) filed the action.*

² Wednesday before Trial date.

³ Three to four weeks following the parties' proposed mediation deadline. The Court may schedule an additional pretrial Status Conference pursuant to Fed. R. Civ. P. 16(a).

⁴ Additionally, in class action cases, the parties should provide proposed deadlines for class discovery and the filing of motions for class certification and/or decertification. In cases arising from administrative agency determinations and/or appeals thereof, the parties should provide a deadline for the filing of the administrative record.

3. Parties shall disclose experts, expert witness summaries, and reports as required by Fed. R. Civ. P. 26(a)(2) by [MM/DD/YYYY]
4. Exchange of rebuttal expert witness summaries and reports as required by Fed. R. Civ. P. 26(a)(2) by [MM/DD/YYYY]
5. Parties shall select a mediator pursuant to Local Rule 16.2 and shall schedule a time, date, and place for mediation by [MM/DD/YYYY]
6. Fact discovery shall be completed by [MM/DD/YYYY]
[at least five months before Trial date]
7. Expert discovery shall be completed by [MM/DD/YYYY]
[at least five months before Trial date]
8. Dispositive motions, including those regarding summary judgment and *Daubert*, shall be filed by [MM/DD/YYYY]
[at least four months before Trial date]
9. Mediation shall be completed by [MM/DD/YYYY]
[at least three months before Trial date]⁵
10. All pretrial motions and memoranda of law, including motions in limine, shall be filed by [MM/DD/YYYY]
[at least two months before Trial date]
11. Joint pretrial stipulation, proposed joint jury instructions, proposed joint verdict form, and/or proposed findings of fact and conclusions of law shall be filed by [MM/DD/YYYY]
[at least one month before Trial date]

By: [Attorney(s) for Plaintiff(s)]

[Attorney(s) for Defendant(s)]

⁵ For all actions brought pursuant to the Fair Labor Standards Act, Title III of the Americans with Disabilities Act, the Fair Debt Collection Practices Act, or to recover amounts due on a defaulted student loan, mediation *shall occur within ninety days of the Court's entry of the Scheduling Order*.

APPENDIX RE TRIAL CALENDARS

In completing the Proposed Scheduling Order, be advised that the Court's two-week trial calendars begin on the following dates:

2023

| | | | |
|--------------------|-----------------|---------------------|--------------------|
| January 2 | April 10 | July 17 | October 23 |
| January 16 | April 24 | July 31 | November 6 |
| January 30 | May 8 | August 14 | November 20 |
| February 13 | May 22 | August 28 | December 4 |
| February 27 | June 5 | September 11 | December 18 |
| March 13 | June 19 | September 25 | |
| March 27 | July 3 | October 9 | |

2024

| | | | |
|--------------------|-----------------|---------------------|--------------------|
| January 2 | April 8 | July 15 | October 21 |
| January 16 | April 22 | July 29 | November 4 |
| January 29 | May 6 | August 12 | November 18 |
| February 12 | May 20 | August 26 | December 2 |
| February 26 | June 3 | September 9 | December 16 |
| March 11 | June 17 | September 23 | December 30 |
| March 25 | July 1 | October 7 | |

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_____ /

**ELECTION TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE
FOR FINAL DISPOSITION OF MOTIONS**

In accordance with the provisions of 28 U.S.C. § 636(c), the undersigned party or parties to the above-captioned civil matter hereby voluntarily elect to have a United States Magistrate Judge decide the following motions and issue a final order or judgment with respect thereto:

- | | | |
|----------------------------------------|-----------|----------|
| 1. Motions to Dismiss | Yes _____ | No _____ |
| 2. Motions for Summary Judgment | Yes _____ | No _____ |
| 3. All Pretrial Motions | Yes _____ | No _____ |
| 4. Discovery | Yes _____ | No _____ |
| 5. Other (<i>explain below</i>) | Yes _____ | No _____ |

By: [Attorney(s) for Plaintiff(s)]

[Attorney(s) for Defendant(s)]

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_____ /

**ELECTION TO JURISDICTION BY A
UNITED STATES MAGISTRATE JUDGE FOR TRIAL**

In accordance with the provisions of 28 U.S.C. § 636(c), the undersigned party or parties to the above-captioned civil matter hereby voluntarily elect to have a United States Magistrate Judge conduct any and all further proceedings in this case, including **TRIAL**, and entry of final judgment with respect thereto.*

By: [Attorney(s) for Plaintiff(s)]

[Attorney(s) for Defendant(s)]

* A Magistrate Judge may conduct jury trials if the underlying claims support a demand for jury. In addition, a Magistrate Judge can generally accommodate special settings.